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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/713,834

11/14/2003

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7590 08/23/2007  
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EXAMINER

TEKLE, DANIEL T

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

08/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/713,834

Applicant(s)

OGIKUBO, JUNICHI

Examiner

Daniel Tekle

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 04/30/07; 04/13/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by  
Kobayashi (US 7,149,408).

**Regarding Claim 1:** Kobayashi disclose an apparatus for controlling an editing image display comprising: a determining device for determining whether or not material data is combined with frame rate information as associated information (**column 2 lines 4-16**); and a controller for controlling the editing image display to display items of determined material data that is combined with the frame rate information as the associated information and not combined with the frame rate information as the associated information with items of the determined material data being distinguished from each other (**column 2 lines 4-16**).

**Regarding Claim 2:** Kobayashi disclose an apparatus according to claim 1, wherein controller controls the editing image display to display items of determined material data that is combined with the frame rate information as the associated information and not combined with the frame rate information as the associated information with items of the

determined material data being distinguished from each other, in a material administration display representing a list of material data (**column 3 lines 43-52**).

**Regarding Claim 3:** Kobayashi disclose an apparatus according to claim 1, wherein controller arranges items of the material data in a reproduction order to produce a content, and controller controls the editing image display to display said items of the determined material data that is combined with the frame rate information as the associated information and not combined with the frame rate information as the associated information with items of the determined material data being distinguished from each other, in a reproduction order representation (**column 2 lines 4-16**).

**Regarding Claim 4:** Kobayashi disclose an apparatus according to claim 1, wherein said controller allocates items of the material data along a time axis to produce a content, and controller controls the editing image display to display items of the determined material data that is combined with the frame rate information as the associated information and not combined with the frame rate information as the associated information with items of the determined material data being distinguished from each other, in a reproduction time order representation (**column 2 lines 4-16**).

**Regarding Claim 5:** Kobayashi disclose an apparatus according to claim 1, wherein said controller sets a speed range available for reproduction on said material data based on said associated information, and controller controls the editing image display to display set speed range (**column 4 lines 17-26**).

**Regarding Claim 6:** Kobayashi disclose an apparatus according to claim 5, wherein said controller controls the editing image display to display set speed range in a material

Art Unit: 2621

administration display representing a list of material data (**column 3 lines 27-31 and column 4 lines 17-26**).

**Regarding Claim 7:** Kobayashi disclose an apparatus according to claim 5, wherein controller arranges items of the material data in a reproduced order to produce content, and controller controls the editing image display to display said set speed range in a reproduced order representation (**column 4 lines 17-26**).

**Regarding Claim 8:** Kobayashi disclose an apparatus according to claim 5, wherein controller controls the editing image display to display set speed range in a reproduced image representation of material data (**column 4 lines 17-26**).

**Regarding Claim 9:** Kobayashi disclose an apparatus according to claim 8, wherein reproduced image representation of material data includes an indication for indicating the reproduction speed (**column 8 lines 26-43**).

**Regarding Claim 10:** Kobayashi disclose an apparatus according to claim 5, wherein controller allocates items of the material data along a time axis to produce a content, and controller controls the editing image display to display determined material data in the reproduction time order representation with a representation width of said material data being altered according to reproduction time calculated on the basis of the reproduced speed (**column 8 lines 26-43**).

**Regarding Claim 11:** Kobayashi disclose an apparatus according to claim 5, wherein said controller controls the editing image display to display set speed range in reproduced image representation of material data in which an indication for indicating the reproduction speed is provided (**column 8 lines 26-43**); wherein when material

data is allocated along a time axis in order to produce a content, a representation width of material data in reproduced time order representation is altered in the reproduction time order representation according to reproduction time calculated on the basis of the reproduction speed (**column 8 lines 26-43**); wherein indication varies according to an operation for altering representation width of material data in reproduction time order representation in synchronization with alteration (**column 8 lines 26-43**); and wherein representation width of material data in reproduction time order representation varies according to an operation for altering indication in synchronization with alteration (**column 8 lines 26-43**).

**Regarding Claim 12:** Kobayashi disclose an apparatus according to claim 5, wherein, when material data is set to be reproduced at a reproduction speed within speed range available for reproduction, controller controls the editing image display to display the material data reproduced at set reproduction speed (**column 4 lines 16-26**).

**Regarding Claims 13-24:** Claims 13-24 are rejected for the same subject matter as claims 1-12 respectively.

**Regarding Claims 25:** Claim 25 is rejected for the same subject matter as claim 1.

## **Prior Art**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

## **U.S. 5,899,575**

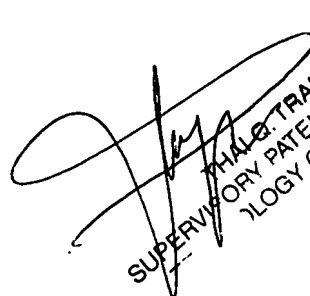
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117.

The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle

  
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